

CITY COUNCIL REPORT



Meeting Date: August 23, 2011
 General Plan Element: *Land Use*
 General Plan Goal: *Create a sense of community through land uses*

ACTION

15055 Hayden Rezone 4-ZN-2011

Request to consider the following:

1. Adopt Ordinance No. 3958 approving the rezoning request from Highway Commercial District (C-3) to General Commercial District (C-4) finding that the proposed zoning district map amendment is consistent and conforms with the adopted General Plan on a 4.83 +/- acre site located at 15055 N. Hayden Road and 8140 E. Butherus Drive.

OWNER

Hardy Properties LLC
602-840-6645

APPLICANT CONTACT

Scott Rasmussen
Synectic Design
480-948-9766 ext 307

LOCATION

15055 N. Hayden Road and 8140 E. Butherus Drive



BACKGROUND

General Plan

The General Plan Land Use Element has designated the property as Employment. This category includes uses ranging from light manufacturing to light industrial to office and aviation uses, with access to adequate mobility systems and opportunities for business enterprises.

Character Area Plan

The site is located within the Greater Airpark Character Area Plan. The Land Use element designates the property as Employment (EMP). The EMP category includes an array of office, commercial, warehousing, and light industrial land uses that provide opportunities for business enterprises, as well as regional and local jobs.

Zoning

The site is currently zoned Highway Commercial District (C-3). The C-3 zoning district allows for most types of commercial activities and includes the sale of commodities or performance of services for a larger segment of population than the average neighborhood.

Context

The subject property is located at the northeast corner of N. Hayden Road and E. Butherus Drive and is surrounded by a variety of office, service, manufacturing and retail uses in the Highway Commercial District (C-3), General Commercial District (C-4) and Industrial Park District (I-1) zoning districts. Please refer to context graphics attached.

Key Items for Consideration

- Existing C-4 zoning located south and east of the site
- Rezoning would allow proposed automotive repair and existing automotive rental as by-right permitted land uses
- No correspondence received regarding the proposed rezoning
- Planning Commission heard this case on July 13, 2011, and recommended approval with a unanimous vote of 5-0.

Other Related Policies, References:

General Plan

Greater Airpark Character Area Plan

Zoning Ordinance

64-ZN-1979 – rezone site and surrounding area from R1-35 to C-3, C-4, S-R and I-1

58-ZN-1980 – amendment to case 64-ZN-1979

32-UP-1984 – Conditional Use Permit to allow automobile sales at site

32-UP-1984#2 – modification to case 32-UP-1984 to allow vehicle display to encroach into setback

14-UP-1986 – Conditional Use Permit to allow automobile sales and repair at southern lot of site

8-UP-2011 – Conditional Use Permit to allow automobile rental or leasing at northern lot of site

APPLICANTS PROPOSAL

Goal/Purpose of Request

The applicant's request is for a zoning district map amendment from the site's existing Highway Commercial District (C-3) zoning to the General Commercial District (C-4) zoning classification to allow for an automotive repair facility.

Development Information

- Existing Use: Partially vacant with automotive rental on portion of site
- Proposed Use: Automotive repair facility (existing automobile rental to remain)

- Buildings/Description: Existing buildings to remain
- Parcel Size: 4.83 +/- acres (gross); 3.68 +/- acres (net)
- Building Height Allowed: 36 feet
- Building Height Existing: 25' – 4"
- Parking Required: 87 spaces
- Parking Provided: 125 spaces
- Open Space Required: 24,557 square feet
- Open Space Existing: 26,210 square feet
- Floor Area: 30,378 square feet

IMPACT ANALYSIS

Land Use

The proposed General Commercial District (C-4) zoning classification is consistent with both the General Plan and Greater Airpark Character Area Plan land use designations for the site. In particular, the Greater Airpark Character Area Plan designates the site and surrounding area as Employment (EMP), which the proposed C-4 zoning supports. The existing Highway Commercial District (C-3) zoning on the site is part of a larger portion of C-3 zoning in the area located primarily along N. Hayden Road and further east along the Loop 101 freeway. A large portion of C-4 zoning is located south and east of the site and the proposed rezoning would be contiguous to that existing C-4 zoning.

The purpose of, and the land uses permitted in, the proposed C-4 zoning district tend to be oriented more toward manufacturing, processing, wholesaling, warehousing and service-related industries when compared to those of the C-3 zoning district, though the two share some common land uses (see Attachment #3). The land uses of the C-4 zoning district are promoted by the Greater Airpark Character Area Plan for those areas surrounding the Scottsdale Airport and are generally more compatible with the Airport's operations and the Industrial Park District (I-1), which is also prevalent in the area, than those of the existing C-3 zoning district.

Airport Vicinity

The site is located approximately 1,000 feet east of the Scottsdale Airport. The proposed C-4 zoning district allows for uses that are generally compatible with the activities of the Airport, including the proposed automotive repair facility. The applicant is not proposing to modify the height of any of the buildings on the site or add any additional buildings to the site and will, therefore, not affect any existing air traffic in the vicinity of the Airport.

Traffic

The site is the location of a former automotive dealership, including automotive repair. The proposed use is an automotive repair facility with similar traffic and parking demand to that of the prior use. The site currently has adequate parking for the proposed use. No changes are proposed to the parking on the site. No impacts to traffic are anticipated due to the proposed rezoning.

Water/Sewer

Uses in the General Commercial District (C-4) zoning district include a broad range of business and professional office, manufacturing, retail and service uses. These uses are not generally considered more intensive from a water or sewer usage standpoint than those of the Highway Commercial District (C-3) zoning district. The proposed use for the site is similar to that of the previous use on the site, which will not require water or sewer service changes to the site or surrounding area. Future land uses on the site would be evaluated on a case-by-case basis for compatibility with the existing water and sewer service in the area.

Public Safety

The proposed rezoning is not anticipated to adversely affect existing police or fire services in the surrounding area. The nearest fire station to the site is located at 14970 N. 78th Way, approximately ¼ mile away from the site.

Open Space

Both the existing C-3 zoning and the proposed C-4 zoning share the same open space requirements. The site currently has existing open space that is in compliance with Zoning Ordinance requirements for both districts. No changes to existing open space are proposed and the previous open space corridor stipulations along Hayden Road of case 32-UP-1984#2 will continue forward.

Community Involvement

The applicant sent notification to all property owners within 750 feet of the site and held an open house to gain input regarding the proposed rezoning on June 9, 2011, at which one person attended. In addition, city staff notified all property owners within 750 feet of the site. Staff has not received any correspondence regarding the proposed rezoning.

Community Impact

As noted above, the C-3 and C-4 zoning district share nearly identical development standards and many of the same uses. The site is part of the much larger Greater Airpark area, which includes many of the land uses that are allowed with the C-4 zoning district. The site abuts N. Hayden Road, a major arterial street within the Greater Airpark area. The proposed rezoning is not anticipated to adversely impact the surrounding area with regards to traffic, infrastructure or land use.

Policy Implications

Although approval of the proposed rezoning would remove a C-3 zoned site, which is located adjacent to a major arterial street, from the area, the proposed C-4 zoning district is promoted as an employment-appropriate district within the Greater Airpark area and fits within the context of a larger collection of C-4 properties south and east of the site. In addition, the proposed automobile repair facility is a conditional land use in the C-3 zoning district, while in the C-4 zoning district it is a by-right permitted land use.

OPTIONS & STAFF RECOMMENDATION

Planning Commission

Planning Commission heard this case on July 13, 2011, and found that the proposed zoning district map amendment is consistent and conforms with the adopted general plan and recommended approval with a unanimous vote of 5-0.

Recommended Approach:

Staff recommended that the Planning Commission determine that the proposed zoning district map amendment is consistent and conforms with the adopted General Plan and make a recommendation to City Council for approval per the attached stipulations.

OPTIONS & STAFF RECOMMENDATION

Recommended Approach:

Adopt Ordinance No. 3958 approving the rezoning request from Highway Commercial District (C-3) to General Commercial District (C-4) finding that the proposed zoning district map amendment is consistent and conforms with the adopted General Plan on a 4.83 +/- acre site located at 15055 N. Hayden Road and 8140 E. Butherus Drive.

RESPONSIBLE DEPARTMENT

Planning, Neighborhood and Transportation

Current Planning Services

STAFF CONTACT

Brad Carr, AICP
Senior Planner
480-312-7713
E-mail: bcarr@ScottsdaleAZ.gov

APPROVED BY



Brad Carr, AICP, Report Author

8.5.2011

Date



Tim Curtis, AICP, Current Planning Director
480-312-4210, tcurtis@scottsdaleaz.gov

8/5/2011

Date



Connie Padian, Administrator
Planning, Neighborhood and Transportation
480-312-2664, cpadian@scottsdaleaz.gov

8/8/11

Date

ATTACHMENTS

1. Ordinance No. 3958
 - Exhibit 1. Stipulations
 - Exhibit 2. Zoning Map
2. Applicant's Narrative
3. Purposes and use regulations for the C-3 and C-4 zoning districts
4. Context Aerial
- 4A. Aerial Close-Up
5. General Plan Land Use Map
6. Greater Airport Character Area Plan Land Use Map
7. Zoning Map
8. Citizen Involvement
9. City Notification Map
10. July 13, 2011 Planning Commission minutes

ORDINANCE NO. 3958

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AMENDING ORDINANCE NO. 455, THE ZONING ORDINANCE OF THE CITY OF SCOTTSDALE, BY AND FOR THE PURPOSE OF CHANGING THE ZONING ON THE "DISTRICT MAP" TO ZONING APPROVED IN CASE NO. 4-ZN-2011 FROM HIGHWAY COMMERCIAL DISTRICT (C-3) TO GENERAL COMMERCIAL DISTRICT (C-4) ZONING ON A 4.83 +/- ACRE PARCEL LOCATED AT 15055 N. HAYDEN ROAD AND 8140 E. BUTHERUS DRIVE.

WHEREAS, the Planning Commission held a hearing on July 13, 2011;

WHEREAS, the City Council held a hearing on August 23, 2011; and

WHEREAS, the City Council finds that the proposed development is in substantial harmony with the General Plan of the City of Scottsdale and will be coordinated with existing and planned development; and

WHEREAS, it is now necessary that the comprehensive zoning map of the City of Scottsdale ("District Map") be amended to conform with the decision of the Scottsdale City Council in Case No. 4-ZN-2011.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Scottsdale, as follows:

Section 1. That the "District Map" adopted as a part of the Zoning Ordinance of the City of Scottsdale, showing the zoning district boundaries, is amended by rezoning a 4.83 +/- acre located at 15055 N. Hayden Road and 8140 E. Butherus Drive and marked as "Site" (the Property) on the map attached as Exhibit 2, incorporated herein by reference, from Highway Commercial District (C-3) to General Commercial District (C-4) zoning.

Section 2. That the above rezoning approval is conditioned upon compliance with all stipulations attached hereto as Exhibit 1 and incorporated herein by reference.

PASSED AND ADOPTED by the Council of the City of Scottsdale this 23rd day of August, 2011.

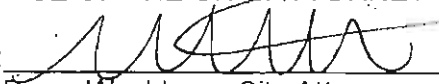
ATTEST:

CITY OF SCOTTSDALE, an Arizona
Municipal Corporation

By: _____
Carolyn Jagger
City Clerk

By: _____
W.J. "Jim" Lane
Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By:  _____
Bruce Washburn, City Attorney
By: Sherry R. Scott, Deputy City Attorney

Stipulations for the Zoning Application:

15055 Hayden Rezone

Case Number: 4-ZN-2011

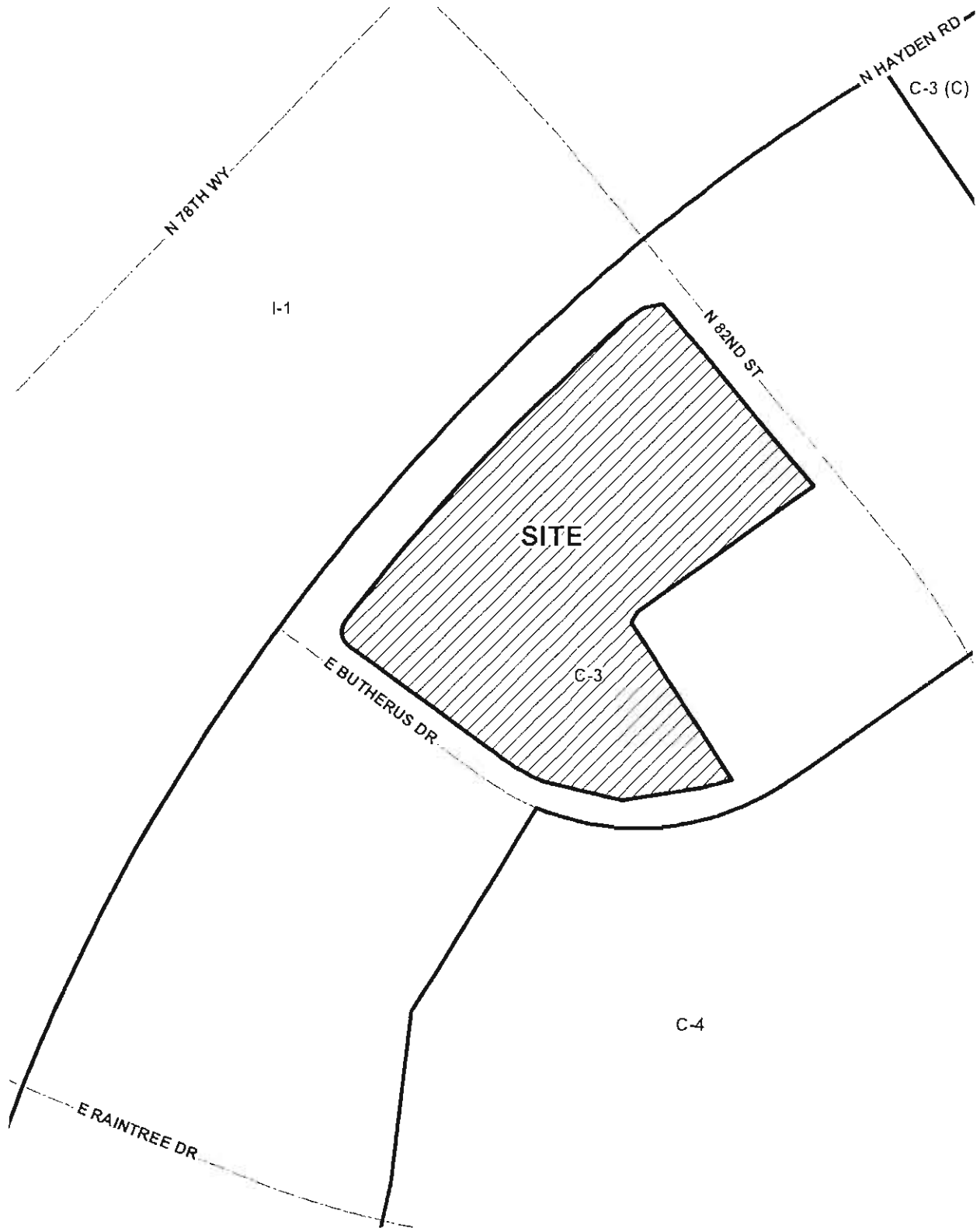
These stipulations are in order to protect the public health, safety, welfare, and the City of Scottsdale.

SITE DESIGN

1. **ACCESS.** Access to the any parcel of the site shall occur only at approved driveway locations located on E. Butherus Drive and N. 82nd Street. No vehicle access shall be permitted to N. Hayden Road.
2. **BUFFERED PARKWAY SETBACKS.** A buffered setback with a width of fifty (50) feet shall be provided for all buildings along N. Hayden Road. A landscape setback with a minimum width of twenty (20) feet and an average width of thirty (30) feet shall be provided along the site's N. Hayden Road frontage. Buffered setback and landscape setback widths shall be measured from the property line.

AIRPORT

3. **AIRCRAFT NOISE AND OVERFLIGHT DISCLOSURE.** Prior to permit issuance, the owner shall provide noise disclosure notice to occupants, potential homeowners, employees and/or students in a form acceptable to the Scottsdale Aviation Director.
4. **AVIGATION EASEMENT.** Prior to permit issuance, the owner shall provide a signed and completed Avigation Easement in a form acceptable to the City for recording.



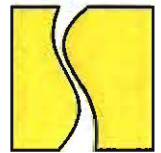
4-ZN-2011

Exhibit 2
Ordinance No. 3958
Page 1 of 1



Synectic Design, Inc.

1111 W University Drive Suite 104
Tempe, Arizona 85281
P. (480) 948-9766
F. (480) 948-9211



05/04/2011

City of Scottsdale
Planning, Neighborhood & Transportation Division
7447 E Indian School Road, Suite 105
Scottsdale, Arizona 85251

RE: Rezoning for 15055 N. Hayden Rd
15055 N. Hayden Road
Scottsdale, Arizona
Parcel No. 215-55-014A Lot 12
215-55-015 Lot 13
215-55-016 Lot 14

Project Narrative

The purpose of the requested pre-application meeting is to apply for a rezoning of the above referenced parcels from C-3 to C-4. C-4 zoning would allow the proposed tenant of an auto collision repair, auto service and paint work to occupy the building on Lot 13. The future tenant would use the existing buildings as they are situated on the site with minor changes, including adding a six foot tall black fence with gate around existing parking within the site and two new roll up doors at the existing automotive service building. The existing auto service building on Lot 13 will house the auto collision repair and new paint spray booth. All services would be installed and be performed within the existing buildings.

The site circulation, parking, drainage, and architecture would remain as currently constructed. Grading and drainage and landscaping will all remain the same as well.

To the north of this property, along the north side of Hayden Road, there are several different uses including furniture stores, financial institutions, copy and printing services, design centers for home builders. Along the south side of Hayden Road there are businesses such as shipping stores, gas stations, spas, automotive dent shop, and home furnishing stores. Along the south side of Betherus Drive, there are automotive repair shops, collision and glass stores and auto service.

The existing building on site was previously a dealership with a service center. The automotive repair and paint spray booth as proposed will be housed within the existing service building and vehicles will be screened from Hayden Road by the existing CMU site wall and the existing landscaping at the north retention basin. Vehicles would enter off of Betherus Drive. This use and activity currently exist directly south of these parcels. Rezoning these parcels to C-4 would be contiguous with the C-4 zoning to the south of Betherus Drive.

Sec. 5.1500. - (C-3) HIGHWAY COMMERCIAL DISTRICT.

Sec. 5.1501. - Purpose.

This district is intended to permit most types of commercial activities and includes the sale of commodities or performance of services for a larger segment of population than the average neighborhood. This district is designed for application on major streets or portions thereof.

(Ord. No. 3920, § 1 (Exh. § 29), 11-9-10)

Sec. 5.1502. - Approvals required.

No structure or building shall be built or remodeled upon land in the C-3 district until Development Review [Board] approval has been obtained as outlined in article I, section 1.900 hereof.

(Ord. No. 3225, § 1, 5-4-99)

Sec. 5.1503. - Use regulations.

- A. *Permitted uses.* Buildings, structures, or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:
1. Business and professional services.
 - a. Business and professional offices.
 - b. Business schools.
 - c. Hospitals for animals including boarding and lodging; provided that there shall be no open kennels maintained and provided that all facilities are in soundproof buildings.
 - d. Medical or dental office including laboratory.
 - e. Optician.
 - f. Studio for professional work or teaching of any form of commercial or fine arts.
 - g. Municipal uses.
 - h. Private and charter school having no room regularly used for housing or sleeping overnight. Subject to Development Review Board approval and compliance with standards including, but not limited to, the following as well as those otherwise required in the district.
 - i. *Location:* All proposed private and charter schools shall be located a minimum of 500 feet from any adult use.
 - ii. *Lot area:* The minimum lot area shall be equal to that required for the district, except that no lot shall be less than 43,000 square feet (net).
 - iii. *[Noise:]* There shall be no outside speaker system or bells, if the school building is within 100 feet of a single-family dwelling or multifamily dwelling unit.
 - iv. *Open space:* Per underlying zoning district open space requirements. All NAOS requirements of the district must be met and may be applied towards the overall open space requirements subject to compliance with NAOS standards.
 - v. *Parking:* Parking shall observe the front yard setbacks of the district for all frontages. One-third of the required parking may be shared parking with other establishments present on site. Parking shall be located and screened per the requirements of the district.
 - vi. *Outdoor recreation area:* All outdoor playgrounds and recreation areas shall be enclosed by a wall or fence sufficient in height to protect the safety and welfare of the students and shall be located within the side or rear yard. Any playground or outdoor recreation area shall be located a minimum of 50 feet from any residential district and screened by a minimum six-foot high wall.
 - vii. *Drop-off area:* A drop-off area accommodating a minimum of five vehicles shall be located along a sidewalk or landing area connected to the main entrance to the school. This area shall not include internal site traffic aisles, parking spaces, fire lanes, etc.
 - viii. *[Public trails and pedestrian connections:]* Any public trails or pedestrian connections shall be incorporated into the site plan and approved by the Development Review Board.
 - ix. *Circulation plan:* The applicant shall submit a circulation plan to insure minimal conflicts between the student drop-off area, potential van and bus drop-off area, parking, access driveways, pedestrian and bicycle paths on site.
 2. Retail sales.
 - a. Antique store.

ATTACHMENT #3

- b. Appliance store.
- c. Art gallery.
- d. Automobile parts store.
- e. Awning or canvas sales store.
- f. Bakery.
- g. Bicycle store.
- h. Big box. Any single retail space (limited to permitted retail uses in this C-3 district) with a building footprint of equal to or greater than 75,000 square feet, if:
 - i. Primary access is not on a local collector street; and
 - ii. Residential zoned property is not located within 1,300 feet of the Big box property line (except residential zoned properties separated from the Big box by the Pima Freeway or developed with non-residential uses).

However, Big box is not permitted in the Environmentally Sensitive Lands Supplementary District. Also See Sections 1.403 and 5.1503.B.

- i. Bookstore.
 - j. Camera store.
 - k. Candy store.
 - l. Carpet and floor covering store.
 - m. Clothing store.
 - n. Craft shop conducted in conjunction with retail business which may include ceramics, mosaics, fabrics, jewelry, leather goods, silk screening, dress designing, sculpturing and wood carving.
 - o. Department store.
 - p. Drugstore with or without drive-through.
 - q. Electronic equipment store.
 - r. Fabric store.
 - s. Feed store.
 - t. Florist.
 - u. Furniture store.
 - v. Gift shop.
 - w. Grocery store or supermarket.
 - x. Gun shop.
 - y. Hardware store.
 - z. Hobby or toy store.
 - aa. Home improvement store.
 - bb. Ice distributing station.
 - cc. Import store.
 - dd. Jewelry store.
 - ee. Liquor store.
 - ff. Music store.
 - gg. Pawnshop.
 - hh. Pet shop.
 - ii. Plant nursery.
 - jj. Restaurant, including drive-through restaurant and including drive-in restaurant.
 - kk. Sporting good store.
 - ll. Stationery store.
 - mm. Swimming pool supply store.
 - nn. Variety store.
3. Wholesale sales. Wholesale sales of any commodity allowed as retail sales in the C-3 district.
4. Services.
- a. Animal boarding kennel, provided that there shall be no open kennels maintained and provided that all facilities are in soundproof buildings.
 - b. Appliance repair.
 - c. Bank.
 - d. Barber or beauty shop.
 - e. Bowling alley.
 - f. Broadcasting station and studio, radio or television excluding sending or receiving tower except as provided in Section 5.1503.B.
 - g. Clothes cleaning agencies and laundromats, excluding industrial cleaning and dyeing plants.
 - h. Coin-operated carwash.
 - i. Frozen food locker.

- j. Gymnasium, racquet, paddle or handball courts.
- k. Health and fitness studio.
- l. Hotel, motel, and timeshare project.
- m. Movie theater (indoor only).
- n. Museum.
- o. Post office.
- p. Printing, lithography, publishing or photostating establishment.
- q. Private clubs, fraternities, sororities and lodges.
- r. Recyclable material collection center.
- s. Shoe repair shop.
- t. Swimming pool sales office, including display pools only; but excluding construction equipment storage yard.
- u. Taxidermist.
- v. Telephone answering service.
- w. Turkish bath that may include masseur and/or masseuse.
- x. Upholstery shop, furniture, provided all activity and storage is within a completely enclosed building.
- 5. Other uses.
 - a. Accessory buildings.
 - b. Churches and places of worship.
 - c. Day care center, if the drop off or outdoor play area is more than 100 feet from a residential district.
 - d. Temporary buildings for uses incidental to construction work, to be removed upon completion or abandonment of construction work.
 - e. Wireless communications facilities; Types 1, 2, and 3, subject to the requirements of Sections 1.906, 3.100 and 7.200

B. Uses permitted by a conditional use permit.

- 1. Adult uses (See Section 1.403 for criteria).
- 2. Amusement park.
- 3. Automated carwash.
- 4. Automobile rental or leasing (See Section 1.403 for criteria regarding outdoor vehicular display).
- 5. Automobile sales, new (See Section 1.403 for criteria regarding outdoor vehicular display).
- 6. Automobile sales, used (See Section 1.403 for criteria regarding outdoor vehicular display).
- 7. Automotive repair, excluding body and paint shops (See Section 1.403 for criteria regarding outdoor vehicular display).
- 8. Bars and cocktail lounges (See Section 1.403 for criteria).
- 9. Big box. Any single retail space (limited to permitted retail uses in this C-3 district) with a building footprint of equal to or greater than 75,000 square feet, if:
 - a. Primary access is on a local residential street; or
 - b. Residential zoned property is located within 1,300 feet of the Big box property line (except residential zoned properties separated from the Big box by the Pima Freeway or developed with non-residential uses).

However, Big box is not permitted in the Environmentally Sensitive Lands Supplementary District. For Use Permit Provisions and Criteria, See Section 1.403.
- 10. Boat sales (See Section 1.403 for criteria regarding outdoor vehicular display).
- 11. Bus station, excluding overnight parking and storage of buses.
- 12. Commercial parking lot.
- 13. Community buildings and recreational facilities not publicly owned.
- 14. Day care center, if the drop off or outdoor play area is within 100 feet of a residential district (See Section 1.403 for criteria).
- 15. Drive-in theater.
- 16. Equipment sales rental and storage yard (See Section 1.403 for criteria regarding outdoor vehicular display).
- 17. Funeral home and chapel.
- 18. Game center.
- 19. Gasoline service station (See Section 1.403 for criteria).
- 20. Internalized community storage (See Section 1.403 for criteria).
- 21. Live entertainment (See Section 1.403 for criteria).
- 22. Miniature golf course.
- 23. Motorcycle sales (See Section 1.403 for criteria regarding outdoor vehicular display).
- 24. Outdoor sales display area.

25. Pool hall.
 26. Recreational vehicle and camper sales (See Section 1.403 for criteria regarding outdoor vehicular display).
 27. Residential health care facility (See Section 1.403 for criteria).
 28. Seasonal art festival.
 29. Sports arena.
 30. Teen dance center (See Section 1.403 for criteria).
 31. Tire store excluding retreading.
 32. Unoccupied recreational vehicle storage.
 33. Upholstery shop, automotive.
 34. Wireless communications facilities; Type 4, subject to requirements of Sections 1.400, 3.100 and 7.200 (Ord. No. 1851, § 1, 11-5-85; Ord. No. 1971, § 1, 8-4-87; Ord. No. 2232, § 1, 6-6-89; Ord. No. 2311, § 1, 6-21-90; Ord. No. 2394, § 1, 9-16-91; Ord. No. 2430, § 1, 1-21-92; Ord. No. 2620, § 1, 8-2-94; Ord. No. 2831, § 1, 9-19-95; Ord. No. 2858, § 1, 12-5-95; Ord. No. 3048, § 2, 10-7-97; Ord. No. 3034, § 1, 11-4-97; Ord. No. 3103, § 1, 1-6-98; Ord. No. 3225, § 1, 5-4-99; Ord. No. 3394, 6-19-01; Ord. No. 3493, § 1, 3-4-03; Ord. No. 3542, § 1, 12-9-03; Ord. No. 3869, §§ 6, 7, 10-6-09; Ord. No. 3926, § 1 (Exh. § 6), 2-15-11)
- Editor's note—*

Ordinance No. 1851 added "teen dance center" to paragraph B above. Such ordinance did not number the subparagraphs. Numbers have been editorially supplied for consistency.

Sec. 5.1600. - (C-4) GENERAL COMMERCIAL DISTRICT.

Sec. 5.1601. - Purpose.

The C-4 district serves as the location for the heaviest type of activities found in the city, including warehousing, wholesaling and light manufacturing. Locations for C-4 zoning should be thoughtfully conceived so that the use of the property is adequately buffered from residential areas and so that highway frontage does not present a poor image of the community.

Sec. 5.1602. - Approval required.

No structure or building shall be built or remodeled upon land in the C-4 district until Development Review [Board] approval has been obtained as outlined in article I, section 1.900 hereof.

(Ord. No. 3225, § 1, 5-4-99)

Sec. 5.1603. - Use regulations.

- A. *Permitted uses.* Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:
 1. Business and professional services.
 - a. Business and professional office (limited to ten (10)) percent of gross building floor area development on a lot within a subdivision.
 - b. Hospitals for animals including boarding and lodging provided that there shall be no open kennels maintained and provided that all facilities will be in soundproof buildings.
 - c. School, private, operated as a commercial enterprise.
 - d. Municipal uses.
 - e. Private and charter school having no room regularly used for housing or sleeping overnight. Subject to Development Review Board approval and compliance with standards including, but not limited to, the following as well as those otherwise required in the district.
 - (1) Location: All proposed private and charter schools shall be located a minimum of five hundred (500) feet from any adult use.
 - (2) Lot area: The minimum lot area shall be equal to that required for the district, except that no lot shall be less than forty-three thousand (43,000) square feet (net).
 - (3) There shall be no outside speaker system or bells, if the school building is within one hundred (100) feet of a single-family dwelling or multifamily dwelling unit.
 - (4) Open space: Per underlying zoning district open space requirements. All NAOS requirements of the district must be met and may be applied towards the overall open space requirements subject to compliance with NAOS standards.
 - (5) Parking: Parking shall observe the front yard setbacks of the district for all frontages. One-third (1/3) of the required parking may be shared parking with other establishments present

on site. Parking shall be located and screened per the requirements of the district.

- (6) Outdoor recreation area: All outdoor playgrounds and recreation areas shall be enclosed by a wall or fence sufficient in height to protect the safety and welfare of the students and shall be located within the side or rear yard. Any playground or outdoor recreation area shall be located a minimum of fifty (50) feet from any residential district and screened by a minimum six-foot high wall.
- (7) Drop-off area: A drop-off area accommodating a minimum of five (5) vehicles shall be located along a sidewalk or landing area connected to the main entrance to the school. This area shall not include internal site traffic aisles, parking spaces, fire lanes, etc.
- (8) Any public trails or pedestrian connections shall be incorporated into the site plan and approved by the Development Review Board.
- (9) Circulation plan: The applicant shall submit a circulation plan to insure minimal conflicts between the student drop-off area, potential van and bus drop-off area, parking, access driveways, pedestrian and bicycle paths on site.

2. Manufacturing and processing.

- a. Beverage bottling.
- b. Blacksmith shop or welding shop.
- c. Boat building or repair.
- d. Cabinet shop.
- e. Cleaning and dyeing plant.
- f. Cosmetics manufacturing.
- g. Dairy products processing.
- h. Electronic components manufacturing.
- i. Furniture refinishing and manufacturing.
- j. Ice cream manufacturing.
- k. Ice plant or cold storage plant.
- l. Instrument manufacturing.
- m. Jewelry manufacturing.
- n. Meat or poultry processing, but not including slaughtering.
- o. Motion picture production.
- p. Musical instrument, games and toys manufacturing.
- q. Pharmaceutical manufacturing.
- r. Pottery manufacturing.
- s. Replating shop.
- t. Research and development laboratories.
- u. Sheet metal shop.
- v. Sign shop.
- w. Upholstering shop.

3. Retail sales.

- a. Appliance store.
- b. Automobile parts store.
- c. Awning or canvas store.
- d. Big box. Any single retail space (limited to permitted retail uses in this C-4 district) with a building footprint of equal to or greater than seventy-five thousand (75,000) square feet, if:

- (1) Primary access is not on a local collector* street; and

*Note—*At the request of the city the term residential has been changed to collector in this subsection.*

- (2) Residential zoned property is not located within one thousand three hundred (1,300) feet of the Big box property line (except residential zoned properties separated from the Big box by the Pima Freeway or developed with non-residential uses).

However, Big box is not permitted in the Environmentally Sensitive Lands Supplementary District.

Also See Sections 1.403 and 5.1603.B.

- e. Boat sales.
- f. Building materials sales yard, including the sale of rock, sand and gravel as an incidental part of the main business but excluding concrete mixing.
- g. Carpet and floor covering store.
- h. Craft shop conducted in conjunction with retail business which includes ceramics, mosaics, fabrics, jewelry, leather goods, silk screening, dress designing, sculpturing and wood carving.
- i. Furniture store.
- j. Ice distributing station.
- k. Motorcycle sales.

- l. Plant nursery.
- m. Recreational vehicles and camper sales.
- n. Swimming pool sales office, including display pools and equipment storage.
- o. Tire shop including recapping.
- 4. Wholesale sales.
 - a. Wholesale sales of any commodity allowed as retail sales in the City of Scottsdale.
- 5. Services.
 - a. Animal boarding kennel, provided that there shall be no open kennels maintained and provided that all facilities will be in soundproof buildings.
 - b. Appliance repair.
 - c. Automated or coin-operated carwash.
 - d. Automobile rental or leasing.
 - e. Automobile storage garage.
 - f. Automotive repair.
 - g. Boat building or repair.
 - h. Broadcasting station and studio, radio or television, but not including sending or receiving tower.
 - i. Emissions testing facility.
 - j. Equipment rental or sales.
 - k. Equipment storage.
 - l. Frozen food locker.
 - m. General or subcontractors.
 - n. Printing, lithography, publishing or photostating establishment.
 - o. Public utility service or storage yard.
 - p. Recyclable material collection center.
 - q. Trailer repair.
 - r. Unoccupied recreational vehicle storage.
 - s. Warehouses.
- 6. Other uses.
 - a. Accessory buildings.
 - b. Automobile sales, new or used.
 - c. Wireless communications facilities; Types 1, 2, and 3, subject to the requirements of Sections 1.906, 3.100 and 7.200
 - d. Temporary buildings for uses incidental to construction work, to be removed upon completion or abandonment of construction work.
- B. *Uses permitted by conditional use permit.*
 - 1. Amusement park.
 - 2. Big box. Any single retail space (limited to permitted retail uses in this C-4 district) with a building footprint of equal to or greater than seventy-five thousand (75,000) square feet, if:
 - a. Primary access is on a local residential street; or
 - b. Residential zoned property is located within one thousand three hundred (1,300) feet of the Big box property line (except residential zoned properties separated from the Big box by the Pima Freeway or developed with non-residential uses).

However, Big box is not permitted in the Environmentally Sensitive Lands Supplementary District. For Use Permit Provisions and Criteria, See Section 1.403.
 - 3. Broadcasting station and studio, commercial; commercial radio or television, including sending or receiving towers.
 - 4. Gasoline service station (see section 1.403 for criteria).
 - 5. Outdoor sales display area.
 - 6. Internalized community storage (see section 1.403 for criteria).
 - 7. Wireless communications facilities; Type 4, subject to requirements of sections 1.400, 3.100 and 7.200
 - 8. Seasonal art festival.

(Ord. No. 1903, § 1, 9-2-86; Ord. No. 1971, § 1, 8-4-87; Ord. No. 2311, § 1, 8-21-90; Ord. No. 2430, § 1, 1-21-92; Ord. No. 2654, § 1, 4-19-94; Ord. No. 2831, § 1, 9-19-95; Ord. No. 2901, § 1, 4-16-96; Ord. No. 3048, § 2, 10-7-97; Ord. No. 3034, § 1, 11-4-97; Ord. No. 3103, § 1, 1-6-98; Ord. No. 3225, § 1, 5-4-99; Ord. No. 3394, 6-19-01; Ord. No. 3493, § 1, 3-4-03)

Editor's note—

The arabic numbers for uses in paragraphs A and B above were not present in Ord. No. 1903. As they were present prior to enactment of Ord. No. 1903, the arabic numbers have been editorially supplied.

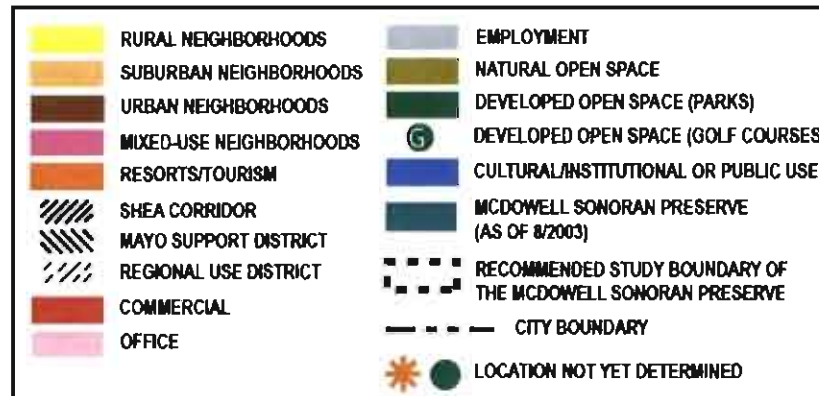


15055 Hayden Rezone

4-ZN-2011

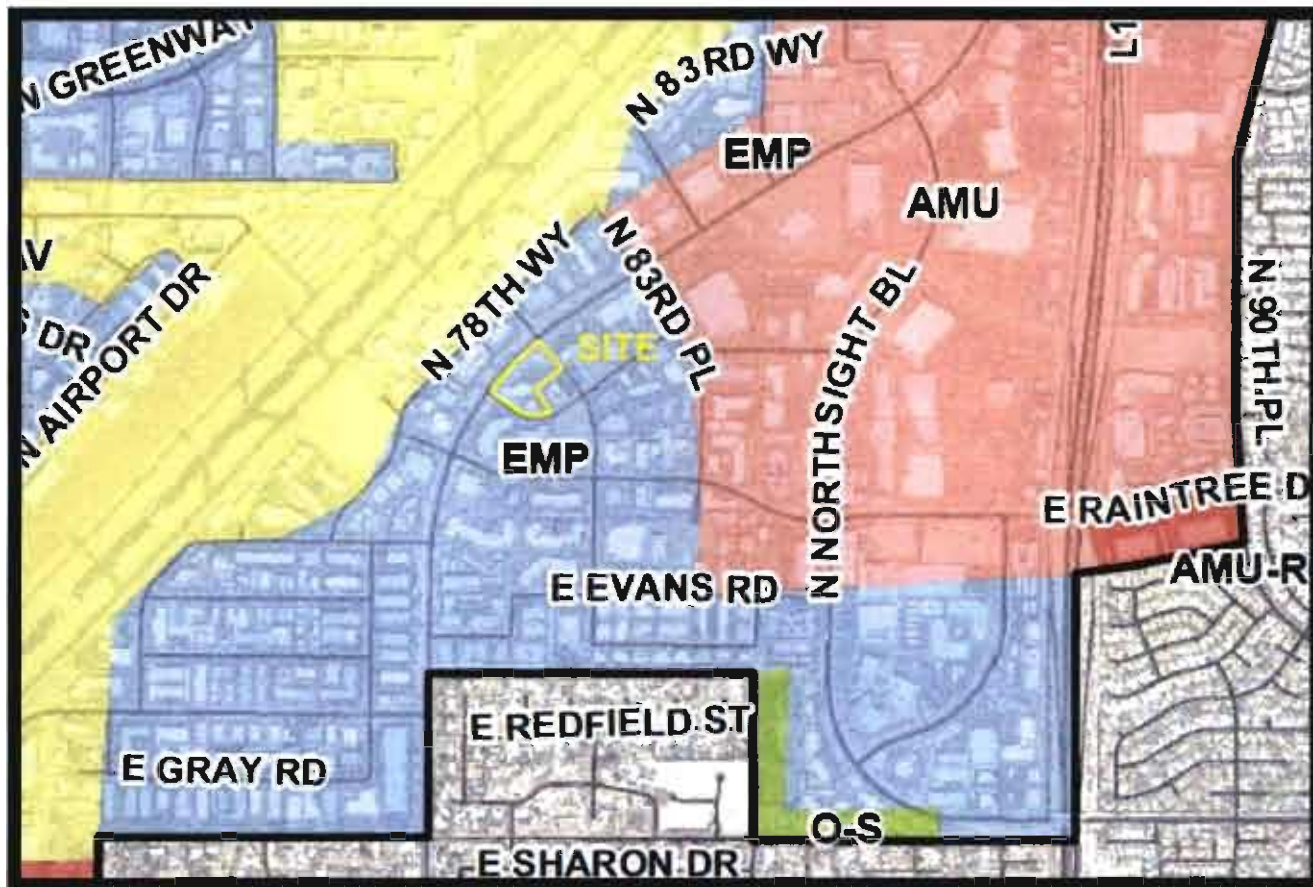
ATTACHMENT #4A

General Plan



4-ZN-2011
ATTACHMENT #5

Greater Airpark Character Area Plan – Future Land Use



Legend

Greater Airpark Study Boundary

Future Land Uses:

Airpark Mixed-Use Residential [AMU-R]

Airpark Mixed-Use [AMU]

Regional Tourism [RT]

Employment [EMP]

Aviation [AV]

Open Space [O-S]

AV/AMU



4-ZN-2011
ATTACHMENT #6



4-ZN-2011

ATTACHMENT #7



Synectic Design, Inc.

1111 W University Drive Suite 104
Tempe, Arizona 85281
P. (480) 948-9766
F. (480) 948-9211



06/13/2011

Brad Carr
City of Scottsdale
7447 E. Indian School Rd., Suite 105
Scottsdale, AZ 85281

RE: 172-PA-2011 Rezone for 15055 N Hayden Rd.

Dear Brad:

This letter is to inform you of the open house held for the rezone application 172-PA-2011 at 15055 N Hayden Road. The open house occurred on Thursday, June 9 at 3:00 PM at the project site. A "Project Under Consideration" white sign was posted on site on May 26, 2011. The affidavit of sign posting is enclosed.

All property owners within 750 feet were notified via first class letters. Letters were sent out on May 27, 2011. A map and list of all property owners that were contacted as well as a copy of the letter that was sent is enclosed.

Only one individual attended the open house, Matt Kalush of The Horwich Group. He owns lease property in the area and only wanted to know what the lease rates are currently at location. We did not have that information for him. The sign in sheet from the open house is enclosed.

Please feel free to contact me for any additional information.

Sincerely,

Scott Rasmussen
Project manager

encl: Copy of notification letter sent to property owners
Adjacent Property Owner map
List of all adjacent Property Owners, addresses, and parcel numbers
Copy of Affidavit of Sign Posting (Original sent to City of Scottsdale by Dynamite Signs, Inc.)
Open House sign in sheet

cc: file

15055 N Hayden Remodel

Open House Neighborhood Meeting Sign In

Company

MAT KAJUSH

The Horseshoe Group

Synectic Design, Inc.

1111 W University Drive Suite 104
Tempe, Arizona 85281
P. (480) 948-9766
F. (480) 948-9211



05/27/2011

Rezoning Application of File 172-PA-2011

To Whom It May Concern:

We will be holding an open house regarding the rezoning of file number 172-PA-2011.

This project consists of a rezone of the referenced parcels from C-3 to C-4. The work to be performed includes a new 6 foot tall fence around a portion of the parking for the automotive repair services and two new roll-up doors at the existing service building. The same building will also house a new paint booth inside.

The open house is scheduled to begin at 3:00 PM on Thursday, June 9th, 2011.

Address:

15055 N Hayden Rd
Scottsdale, AZ 85260

If you have any questions or comments or cannot attend please contact

Applicant:

Scott Rasmussen
Synectic Design, Inc.
srasmussen@synecticdesign.com
(480) 948-9766

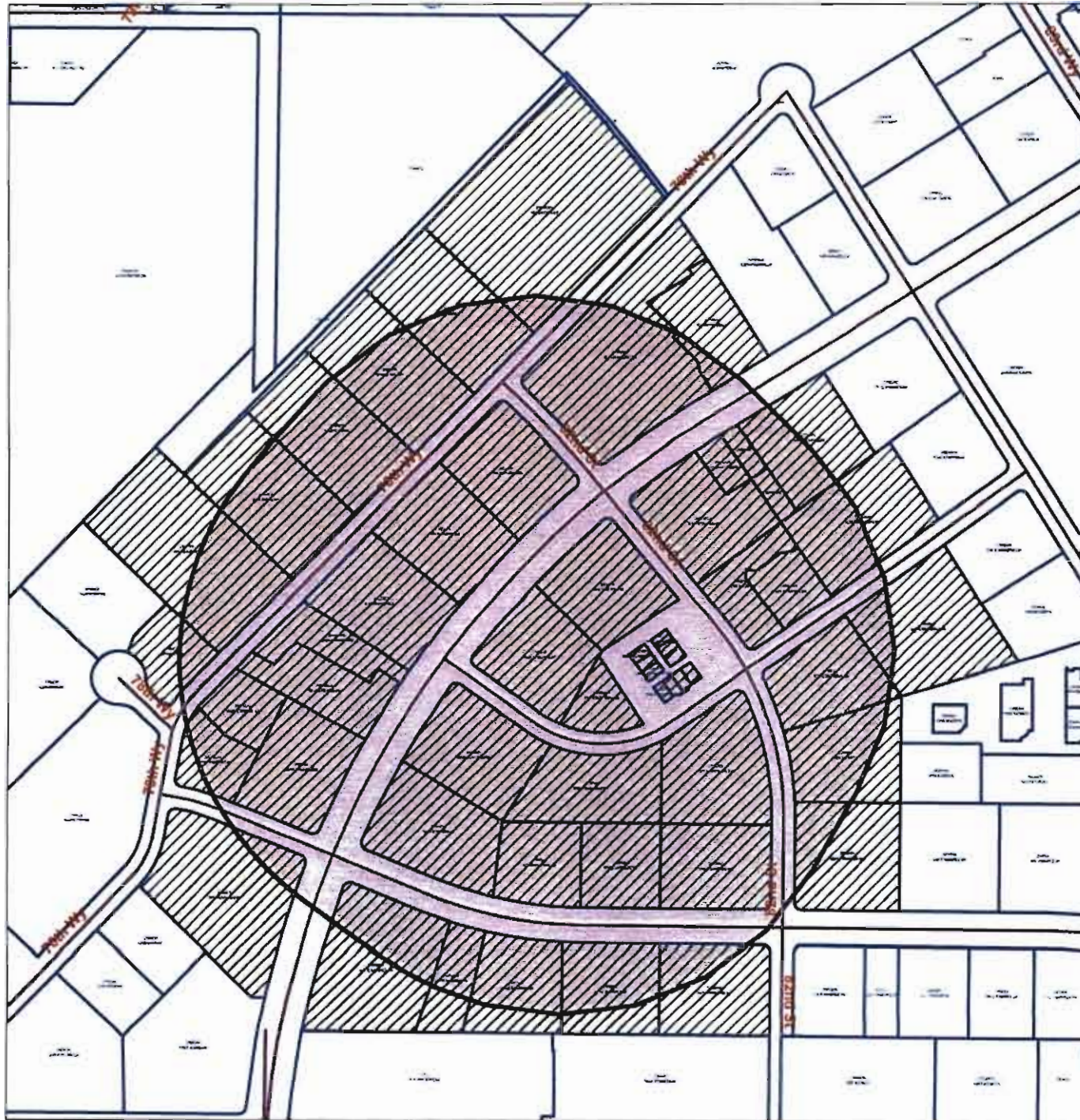
City Contact:

Brad Carr
City of Scottsdale
bcarr@ScottsdaleAZ.gov
(480) 312-7713

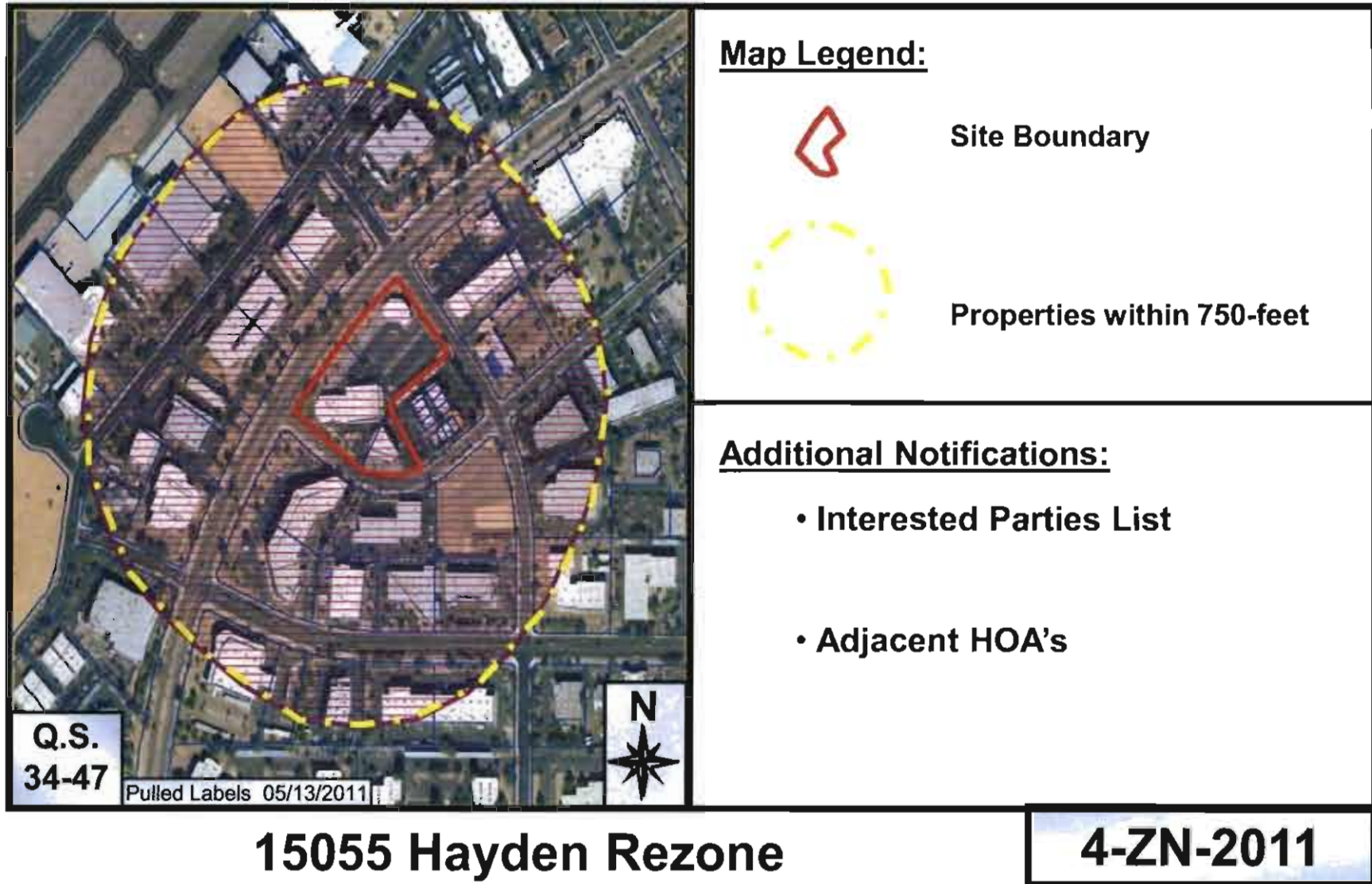
Sincerely,

Scott Rasmussen

Adjacent Property Owners



City Notifications – Mailing List Selection Map





**SCOTTSDALE PLANNING COMMISSION
KIVA-CITY HALL
3939 DRINKWATER BOULEVARD
SCOTTSDALE, ARIZONA**

WEDNESDAY, JULY 13, 2011

DRAFT SUMMARIZED MEETING MINUTES*

PRESENT: Michael D'Andrea, Chairman
Ed Grant, Vice-Chair
Michael Edwards, Commissioner
Erik Filsinger, Commissioner
Jay Petkunas, Commissioner

ABSENT: David Brantner, Commissioner
Matt Cody, Commissioner

STAFF: Tim Curtis
Joe Padilla
Kira Wauwie
Jesus Murillo
Brad Carr
Louisa Garbo
Brandon Lebovitz

CALL TO ORDER

Chair D'Andrea called the regular session of the Scottsdale Planning Commission to order at 5:00 p.m.

ROLL CALL

A formal roll call was conducted confirming members present as stated above.

MINUTES REVIEW AND APPROVAL

1. June 22, 2011 Regular meeting Minutes including Study Session.

VICE-CHAIR GRANT MOVED TO APPROVE THE JUNE 22, 2011 REGULAR MEETING MINUTES, INCLUDING STUDY SESSION. SECONDED BY

* Note: These are summary action minutes only. A complete copy of the meeting audio is available on the Planning Commission website at: www.scottsdaleaz.gov/boards/PC.asp

COMMISSIONER PETKUNAS, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF FIVE (5) TO ZERO (0).

EXPEDITED AGENDA

2. 372-PA-2011 (Vehicles / Automobiles Text Amendment)
3. 410-UP-2011 (80 Acres MUMSP)
4. 26-UP-2010#2 (Scottsdale Preparatory Academy)
5. 30-UP-2011 (AZ CannaMed – Medical Marijuana Dispensary)

Robert Brems provided comments in opposition to the proposal.

CHAIR D'ANDREA MOVED CASE 30-UP-2011 TO THE REGULAR AGENDA. COMMISSIONER PETKUNAS MOVED TO RECOMMEND THAT CITY COUNCIL APPROVE CASE 30-UP-2011, PER THE STAFF RECOMMENDED STIPULATIONS, BASED UPON THE FINDING THAT THE CONDITIONAL USE PERMIT CRITERIA HAVE BEEN MET. SECONDED BY COMMISSIONER FILSINGER, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF FIVE (5) TO ZERO (0).

6. 4-ZN-2011 (15055 Hayden Rezone)

COMMISSIONER FILSINGER MOVED TO INITIATE CASES 372-PA-2011 AND 410-PA-2011; AND MOVED TO RECOMMEND THAT CITY COUNCIL APPROVE CASES 26-UP-2010#2 AND 4-ZN-2011, PER THE STAFF RECOMMENDED STIPULATIONS, BASED UPON THE FINDING THAT THE CONDITIONAL USE PERMIT CRITERIA HAVE BEEN MET, AND AFTER DETERMINING THAT THE PROPOSED ZONING MAP AMENDMENT IS CONSISTENT AND CONFORMS WITH THE ADOPTED GENERAL PLAN. SECONDED BY COMMISSIONER PETKUNAS, THE MOTION CARRIED UNANIMOUSLY WITH A VOTE OF FIVE (5) TO ZERO (0).

NON-ACTION AGENDA

7. 19-ZN-2002#2 (Crossroads East)

ADJOURNMENT

With no further business to discuss, the regular session of the Planning Commission adjourned at 6:03 p.m.